

**At a Regular Meeting of the Town Council of the Town of Middletown,
RI held at the Middletown Town Hall on Monday, March 19, 2012 at
7:00 P.M.**

Council President Arthur S. Weber, Jr., Presiding

Councillor Richard Cambra

Councillor Christopher T. Semonelli

Councillor Antone C. Viveiros

Councillor Barbara A. VonVillas, Members Present

Vice President Bruce J. Long, Absent

Councillor Edward J. Silveira, Jr.

PLEDGE OF ALLEGIANCE TO THE FLAG

RECONSIDERATION

The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:

If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

There were no reconsiderations

EXECUTIVE SESSION

- 1. Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-26-5 (a) (2) Collective Bargaining (Town Hall).**

Executive Session was cancelled.

PUBLIC FORUM SESSION

- 2. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting.**

M. Theresa Santos, 214 Morrison Avenue, addressed the Council expressing concern that she was denied her request to speak on a consent calendar item at the March 5, 2012 regular meeting of the Council.

CONSENT

3. Approval of Minutes – Regular Meeting, March 5, 2012.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to approve said minutes.

4. Petition of National Grid Electric Company and Verizon for Tuckerman Avenue proposed JO pole location. (Recommendation of Roads/Utilities Committee included)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to approve said petition.

5. Memorandum of Jan Eckhart, Chairman, Middletown Planning Board, re: Proposed amendments to Zoning Ordinance, Article 11-Watershed Protection District. (Requires Advertising for Public Hearing)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum and advertise zoning amendments for public hearing on May 7, 2012.

6. Resolution of Town of Burrillville, re: Requesting support of House Bill 7561 which would amend RIGL §17-9.2-25 providing the use of post office boxes for purposes of acknowledgement of registration or change of address and verification of residence in those cases where the prospective voter does not receive home mail delivery.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said resolution.

7. Continued from Regular Meeting, March 5, 2012

Memorandum of Town Administrator, with enclosures, re: Second Beach Equipment Rental Concession. (Administration requests this item be continued to April 2, 2012 Regular Meeting of the Council)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to continue this matter to April 2, 2012 regular meeting of the Council.

8. Continued from Regular Meeting, March 5, 2012

Resolution of the Council, re: Second Beach Equipment Rental Concession. (Administration requests this item be continued to April 2, 2012 Regular Meeting of the Council)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to continue this matter to April 2, 2012 regular meeting of the Council.

9. Petitions received from the following named persons for perpetual care of burial lots in the Middletown Cemetery:

- a. Barbara Archer – Section 49, Lots 26 and 47**
- b. Carol Broker – Section 49, Lot 49**
- c. Erin Nesby – Section 53, Lots 1, 2, 3, 4, 5 and 6**

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to approve said burial petitions.

10. Application of Hymie Beaufort, Middletown for RENEWAL of a Private Detective License for the 2011-2012 licensing year.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant said license renewal.

11. Applications received from the following named persons, firms and corporations for RENEWAL of Holiday Sales Licenses for the 2012-2013 licensing year. (See Attached List)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant said license renewals.

12. Application of East Bay Ventures, Inc. dba Goode Spirits, 1374 West Main Road, for RENEWAL of a Sunday Selling License for the 2012-2013 licensing year.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant said license renewal.

13. Application of Peckham Brothers Co., Inc., Middletown for RENEWAL of a Drain Layer's License for the 2012-2013 licensing year.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant said license renewal.

LICENSE & PERMITS

14. Application of the Aquidneck Island Police Parade Committee, Middletown, for RENEWAL of Peddler's License for (Novelties and T-Shirts) for Police Parade Day, May 6, 2012, includes a request to waive license fee and be sole vendor for the event. (6 Vendors; Middletown Only)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant said license renewals, waive said fees and approve request for sole vendor.

15. Communication of Sergeant Richard Gamache Trustee, National Police Parade, re: Requesting “in-kind” services for police details, highway department personnel, and the use of Town owned properties.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant in-kind services for the Aquidneck Island Police Parade on May 6, 2012.

16. Application for Special Event Permit from Sergeant Corey Huck, on behalf of the National Aquidneck Island Police Parade for the Aquidneck Island Annual Police Parade beginning on West Main Road at Coddington Highway proceeding into Newport (Broadway) to

be held on Sunday, May 6, 2012 at 11:50 a.m. (Parade Committee respectfully requests permit fee to be waived)

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant said Special Event Permit and waive fee.

17. Application for Special Event Permit from William Burns and Sergeant Richard Gamache on behalf of the National Aquidneck Island Police Parade Committee for the National Aquidneck Island Police Parade Aquidneck Island Five-0-5K at Sachuest Beach to be held on April 29, 2012 beginning at 8:00 a.m. until 12:00 p.m. (Attached is a request to waive permit fee)

Councillor Semonelli noted that the Town Clerk informed him that this request is being withdrawn.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to grant applicants request to withdraw said Special

Event Permit.

OTHER COMMUNICATIONS

18. Communication of Lisa Wagenbach, Volunteer/Activist, for Surfrider Foundation Rhode Island Chapter, Narragansett, re: Request Middletown to Ban single use plastic bags.

Councillor Semonelli noted that the Town Clerk informed him that Ms. Wagenbach has requested this item be continued to the next regular meeting of the Council.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to continue this matter to the April 2, 2012 regular meeting of the Council.

19. Communication of Cheryl G. Robinson, President, Turning Around

Ministries, Inc., re: Request for support by placing an ad in the Souvenir Book or making a contribution to TAM.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to place a ½ page ad in the TAM Souvenir Booklet (\$65.00) to be appropriated from the President's Discretionary Fund.

PUBLIC HEARINGS

20. Public Hearing (Advertised)

Town of Middletown application for Small Cities Community Development Block Grant (CDBG) for certain projects, in an amount not to exceed \$300,000.

Public Hearing was declared open.

Town Planner Ronald Wolanski reviewed the memorandum entered here:

Christian Belden, Church Community Housing Corporation, thanked the Council for the opportunity to assist the Town with the CDBG grant application.

Susan Schenck, Chief Operating Officer representing East Bay Action Program, requested support for the operating budget and assistance in the construction of the new Community Health Center.

Jimmy Winters, representing Community Housing Resource Board/Housing Hot Line, addressed the Council thanking them for their support. Mr. Winters noted educational programs in progress for middle school students.

There being no other persons desiring to be heard, public hearing was declared closed.

21. Resolution of the Council, re: FY2012 Small Cities Community Development Block Grant- Project priorities.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to pass said resolution.

22. Public Hearing (Advertised)

An Ordinance of the Town of Middletown (First Reading)

An Ordinance in amendment to the Town Code of the Town of Middletown, Chapter 152, The Zoning Code, Article 12 Signs, Sections 1202, 1203, 1208, 1209, 1210, 1211, 1212 and 1213. (Planning Board recommendation attached)

Public Hearing was declared open.

Town Planner Ronald Wolanski reviewed the memorandum entered here:

Public hearing remains open.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said ordinance on its first reading.

COMMUNICATION OF TOWN ADMINISTRATOR

23. Memorandum of Finance Director thru Town Administrator, with enclosures, re: Contract Award – Local Hazard Mitigation Consultant.

Town Planner Ronald Wolanski reviewed the memorandum entered here:

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to receive said memorandum.

24. Resolution of the Council, re: Contract Award – Local Hazard Mitigation Consultant.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to pass said resolution.

On motion of Councillor Semonelli, duly seconded, it was voted unanimously to adjourn said meeting at 7:25 pm.

Wendy J.W. Marshall, CMC

Council Clerk

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